

Application No.: 10/774,183
Response to Office Action
dated July 24, 2006

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Docket No.: 60810 (71360)

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REMARKS

The specification has been amended to correct obvious typographical errors, as suggested by the Examiner.

Claims 1, 5-7, and 11-13 have been amended. Support for the amendment to claim 1 can be found throughout the specification, e.g., at page 8, lines 11 and 22-24. Claims 5, 6, 11, and 12 have been amended as suggested by the Examiner. Support for the amendment to claims 7 and 13 can be found throughout the specification, e.g., at page 16, lines 17-18.

Claims 15-17 are new. Support for the new claims can be found, e.g., at page 15, lines 3-11, and page 20, lines 14-17.

Claims 4 and 10 have been cancelled without prejudice or disclaimer. Thus, claims 1-3, 5-9, and 11-17 are now pending in the application.

No new matter has been introduced by the instant amendments.

Objections to the Specification

In the Office Action, the Examiner objected to certain misspelled words and allegedly unexplained abbreviations. Without agreeing with the Examiner's position, the specification has been amended to address the objections, and Applicants submit that the objections have been overcome. Withdrawal of the objections is proper and the same is requested.

Rejection under 35 U.S.C. §112, second paragraph

In the Office Action, the Examiner rejected claims 5, 6, 11 and 12 as being indefinite due to certain allegedly improper Markush language. Without agreeing with the Examiner's position, the claims have been amended as suggested by the Examiner, and Applicants submit that the rejection has been overcome. Withdrawal of the rejection is proper and the same is requested.

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Rejections under 35 U.S.C. §102(b)

In the Office Action, the Examiner rejected claims 1- 6 and 9-12 as being anticipated by patents to DeGuia, Liu, Fukusawa, Takekoshi, or Ohara, with publications of Honda or Goodman "as evidence." This rejection is traversed.

Without agreeing with the Examiner's position, Applicants note that the amended claims recite that a thermoplastic polyester-based flame-retardant resin composition consists essentially of polybutylene terephthalate (PBT), as well as other components in specified amounts. None of the references cited by the Examiner teaches or suggests such a flame-retardant resin composition. For example, unlike the presently-claimed invention, the compositions of the DeGuia reference require (as the Examiner notes) a blend of PBT and PET. The Liu reference discloses the use of PBT as a modifier resin, but does not disclose a thermoplastic polyester-based flame-retardant resin composition consisting essentially of PBT. The Fukusawa reference discloses compositions including certain phosphoric ester compounds. The Takekoshi reference, which discloses compositions including an organoclay derivative as part of a fire retardant blend, also does not disclose the claimed compositions. The Ohara reference discloses compositions including PET, but not PBT; furthermore, the compositions of Ohara require the addition of specific epoxy compounds or carbodiimide compounds. The Examiner does not cite the Honda and Goodman references as disclosing the presently-claimed compositions (and Applicants agree that they do not).

For at least the above-reasons, Applicants contend none of the cited references, whether taken alone or in any combination, teaches or suggests the claimed invention. Applicants respectfully urge that the rejection does not apply to the pending claims. Reconsideration and withdrawal of the rejection is proper and the same is requested.

Rejections under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 1-14 as being unpatentable over patents to DeGuia, Liu, Fukusawa, Takekoshi, or Ohara, in view of patents to

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Gareiss or Saiki, and with publications of Honda or Goodman "as evidence." This rejection is traversed.

Without agreeing with the Examiner's position, Applicants note that the amended claims recite that a thermoplastic polyester-based flame-retardant resin composition consists essentially of, inter alia, 100 parts by weight of polybutylene terephthalate. None of the references cited by the Examiner, whether taken alone or in combination, teaches or suggests such a flame-retardant resin composition. The teachings of DeGuia, Liu, Fukusawa, Takekoshi, or Ohara, have been discussed above. The Examiner does not cite the Honda and Goodman references as disclosing the presently-claimed compositions (and Applicants agree that they do not). Although the Examiner cites the Gareiss or Saiki references as teaching certain compositions assertedly similar – but apparently not identical – to the claimed compositions, these references do not teach or suggest the present compositions, nor molded products thereof, as required by the pending claims. Applicants note that the compositions of Gareiss include certain polyhydric alcohols, and the compositions of Saiki include polyester block copolymer resin. Thus, neither Gareiss nor Saiki disclose compositions or molded products thereof according to the presently-claimed invention, and Applicants contend that the presently-claimed compositions (and molded products) would not have been obvious in view of the cited references, whether taken alone or in any combination.

For at least the above-reasons, Applicants contend that the rejection does not apply to the pending claims. Reconsideration and withdrawal of the rejection is proper and such action is requested.

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Conclusion

Early and favorable action is requested.

Although it is believed that no extension of time is required, Applicants request any extension of time necessary. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 60810(71360). A duplicate copy of this paper is enclosed.

Dated: October 24, 2006

Respectfully submitted,

By 

Mark D. Russett
Registration No.: 41,281
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorneys/Agents for Applicants